

CITY OF BURIEN
PUBLIC HEARING re EMERALD POINTE PROJECT SEPA DEIS

**Public
Hearing
Transcript**

Tuesday, September 18, 2007

6:30 - 9:00 p.m.

Highline Public Schools
Educational Resource and Administrative Center
15675 Ambaum Boulevard SW, Burien, Washington

Contact: Susan Coles
Department Assistant
Community Development
206.248.5510 susanc@burienwa.gov

Taken by: Judith Cederblom, MA, CCR
Court Reporter and Realtime Captioner
206.728.4228 jcederblom@msn.com

2

1

2

5

10

15

20

25

1 that apply to this project, the zoning laws, the setbacks,
2 those kinds of things, are the 1990 King County rules.
3 That's what we have to use under State law; we can't use our
4 current Burien rules for many issues.

5 The current proposal that's addressed in the
6 Environmental Impact Statement consists of two, what we call
7 "build alternatives" and a "no-action alternative."

8 Alternative 1 is for 200 market-rate condominium
9 units. Alternative 2, which is actually the applicant's
10 preferred alternative at this point, is for 178 market-rate
11 condominium units.

12 I will also note that in addition to that there
13 is a manager's unit added into the clubhouse. So depending
14 on how you look at it, you might have 201 units or a 179
15 units, but there is a manager's unit.

16 Both of these proposals or alternatives would take
17 their access from an extension of Southwest 136th Street,
18 which goes by the old Senior Center and also enters Vintage
19 Park, and they would build a new road to serve their project
20 behind the old Senior Center buildings, through an agreement
21 with the Highline School District.

22 And the no-action alternative is included under
23 State law in the Environmental Impact Statement for
24 comparison. It's kind of what we call the baseline. So if
25 nothing was developed, what would the environmental impacts

1 look like if nothing was developed. And that way we have a
2 comparison between essentially today's condition and a
3 project being built on the site.

4 Public comment is a very important part of the EIS
5 process. I urge you to be as specific and clear as you
6 possibly can in your comments. We have sign-up sheets at
7 the back of the room, and there's some out there. If you
8 haven't signed up already, there are those bright yellow
9 sheets. You'll have time to sign up throughout the meeting
10 if you haven't already.

11 When it's your turn to speak, you will be called
12 up to the microphone. The microphone is actually over there
13 on the podium, and it is on. You may need to adjust it to
14 your height level and that sort of thing.

15 Please state your name and address for the
16 official record. I know you've probably already put it on
17 the yellow sheets, but we have a court transcriber here who
18 will need that information from you orally. And we will
19 also be preparing a transcript of this hearing that will be
20 available as part of the final EIS.

21 If you would rather submit written comments, you
22 can do so by sending us an e-mail or a letter to the City,
23 or a fax to the City of Burien. And the deadline for
24 written comments is 5:00 on October 5th, so there are still
25 several weeks in which you can make a comment.

1 The next step after tonight's hearing is -- and
2 actually after the October 5th comment deadline -- is to
3 review all of the comments that you have given us and to
4 prepare the final EIS. The final EIS actually contains a
5 detailed response to each and every comment you give us.

6 The final EIS may also contain new or updated or
7 different analysis based on comments that you've given us,
8 or new information that becomes available during this public
9 comment process. It is not unheard of to add new
10 information into an EIS if it's appropriate at that stage.

11 After the final EIS has been issued -- we don't
12 have a schedule for that, I'm thinking a few months from now
13 at the earliest -- the City can then begin reviewing
14 construction permit applications for the project.

15 This project does not require City Council review
16 or approval or Planning Commission review or approval. This
17 is the only hearing on the Draft Environmental Impact
18 Statement for the project.

19 And I do also want to add that there is no
20 decision being made here tonight. The purpose of the
21 hearing is just to hear your comments.

22 The information we get from the final EIS is
23 usually used as conditions, say on the construction permit,
24 or conditions in order for a project to be built. So that's
25 the outcome of the information we get from the final EIS.

1 Before we begin the hearing, just a few real brief
2 announcements.

3 We have a series of handouts on the back table or
4 out in the hallway that you're welcome to pick up,
5 summarizing the environmental impacts and proposed
6 mitigation for those impacts, and some of the graphics from
7 the Draft EIS, including copies of all the boards we have
8 out there.

9 Restrooms are out the door to your left and down
10 the hallway. And additional copies, if you haven't seen the
11 Draft Environmental Impact Statement, they are available for
12 reading at City Hall or at the Burien library. We just
13 brought over extra copies to them yesterday. Or you can
14 purchase a paper copy of the EIS. Or we actually have it on
15 a CD if you'd rather get it that way, at Roadrunner Print &
16 Copy on 153rd Street.

17 One of the handouts is the public notice that we
18 issued for tonight's public meeting, and it has that
19 information in there. I don't have Roadrunner's information
20 memorized, but you've got that information on the notice.
21 Or you can contact us and we can tell you where they're
22 located.

23 Tonight's hearing will be conducted by our hearing
24 examiner. Normally his role is to make a recommendation or
25 a decision. Tonight his role is essentially to time you and

1 to kind of keep order in the hearing and keep the hearing
2 moving along.

3 So with that, I'd like to introduce our hearing
4 examiner, Don Largen.

5 HEARING EXAMINER: Thank you. I want to reiterate
6 a couple of points that Scott has made.

7 Can everybody hear me out there? Okay. I have to
8 lean into this a little bit, I guess.

9 I wanted to highlight the fact that there is not a
10 decision that's going to be coming out as a result of
11 tonight's hearing.

12 The sole purpose of tonight's hearing is to take
13 in comments relative to the contents of the draft EIS on
14 this project. This is a required part of the SEPA review
15 process and is kind of the front end of it.

16 They are called draft EIS's because that's exactly
17 what the document is; it is a draft. It is put out for the
18 sole purpose of being a disclosure document to identify and
19 illuminate the issues, the impacts, comparative pros and
20 cons between the alternatives that are looked at within the
21 EIS.

22 As a result, there's going to be -- there are two
23 things that we're not going to do tonight.

24 This is a one-way interaction. You are providing
25 comment, questions, requests for clarification to us.

1 This is not a forum for debate, this is not a
2 question-and-answer period. If you have questions or are
3 requesting clarifications, those are legitimate comments to
4 be included into the draft EIS. If you have questions and
5 comments or are requesting clarifications, those become part
6 of tonight's record. They will be answered within the
7 context of the final EIS document.

8 So, again, this will not be a two-way interaction.
9 You are here solely to provide us with your concerns,
10 comments, observations, what have you, about the contents of
11 the draft EIS.

12 Given the number of folks who I see have signed up
13 for this, we are going to limit testimony to three minutes.
14 If you have extensive and detailed comments, I strongly
15 suggest that you submit them in writing.

16 You have until October 5th, which I believe is
17 about another two and a half weeks. Again, we do this so
18 that everyone has an opportunity to speak who wishes to
19 speak.

20 I have been a SEPA official for the better part of
21 20 years. I have been in the SEPA process in various
22 projects for that length of time. And I'll tell you, it's
23 very important that you get your comments -- if you have
24 detailed, substantive comments that you really can't get in
25 in three minutes, please, please, get them in writing.

1 We want your input, but at the same time I need to
2 conduct this hearing so everyone who wants to speak has an
3 opportunity to speak.

4 I will, as I said, limit this to three minutes.
5 Typically, I like to conduct hearings in a rather informal
6 manner, but given the number of folks who are here tonight,
7 I'm going to be very strict about this. And I have a couple
8 of cards here (indicating). I will flash this one up when
9 you have a minute left, another one when you have 30
10 seconds, and another one when your time is expired and I
11 will ask you to sit down.

12 If I believe -- and it's at my discretion so don't
13 get mad at anyone else but me -- if I believe that at the
14 end of the -- everyone who wishes to speak that we have
15 illuminated the various comments, questions, requests for
16 clarifications from you folks, then we will close the
17 hearing.

18 If I believe that there are some issues that need
19 to be perhaps reiterated, I may ask a select few of you to
20 come back up and explain your position further, but don't
21 count on it. Because, like I say, I want everyone to get a
22 chance to speak. There's a lot of you, and it's going to be
23 a long evening.

24 So without any further ado, let the record show
25 that the hearing on the Draft EIS for the Emerald Pointe

1 development on the Sound proposed by Westmark Development
2 commenced at 7:15 p.m.

3 I have been given several sign-up sheets. They
4 are not in any given order. Some of you have signed up
5 requesting to speak, others have not. As a result of
6 signing up, you are part of the record. If you submit
7 written testimony, you are also part of the record.
8 Anything that puts you on the record makes you a party of
9 record, and thus you will get further notification as this
10 process develops.

11 So I am going to call up the first person I see,
12 and I'm going to shuffle these a little bit so I am not
13 biased in any way, shape, or form. And the first person I
14 see who would like to speak -- and, forgive me, I'm horrible
15 with last names -- if I butcher it, just correct me. I
16 think this is Catherine Aldridge.

17 And, Catherine, if you could please come up to the
18 podium and state your name and address for the verbal
19 record, I'd appreciate it.

20 CATHERINE ALDRIDGE: First of all, I want to thank
21 the Council for inviting our comments tonight. And I also
22 want to say --

23 HEARING EXAMINER: Would you first state your name
24 and address, please.

25 CATHERINE ALDRIDGE: Oh, I'm sorry. Catherine

1 Aldridge, 13229 12th Avenue Southwest, No. 223, 98146.

2 HEARING EXAMINER: Thank you.

3 CATHERINE ALDRIDGE: I want to actually express
4 appreciation to Westmark for accepting some of the proposals
5 that were made at the last hearing, including changing their
6 approach from 12th Southwest to 136th. And also this
7 proposed project has a smaller footprint, I think, than the
8 other one, far less units.

9 And they also prefer Alternate 2, as you've heard,
10 because it has a smaller footprint and therefore will have
11 lesser effect on the environment. Not much, but some.

12 But I still have issues.

13 To my eye, looking at this (indicating), it looks
14 like they are only going to preserve six big trees, 23
15 inches or more in diameter, in that whole
16 seven-and-a-half-acre section.

17 Now those trees not only have owls and squirrels
18 and other things in them and provide wildlife shelter, they
19 also filter the soil, the water, and hold the soil in place.
20 And if those trees are taken out that means they are also
21 going to have the roots eliminated.

22 And the offer to put in two trees, two replacement
23 trees of similar species, is not going to be very effective
24 because it takes a tree a long time to grow large enough and
25 develop the root system that we currently have down there

PT 1

**Public
Hearing
Transcript**PT 1
(cont.)

1 holding things in place.

2 We all know that the entire area is nothing but
3 clay and rock. And it's very shaky ground, and it could
4 easily be impacted by slides and earthquakes.

5 And this is really -- this is really kind of scary
6 because it will not only affect people in Emerald Pointe if
7 the land starts sliding, it will also affect all of the
8 adjoining neighbors. There are Sound Vista Condominiums to
9 the north --

10 HEARING EXAMINER: (Indicating timing card.)

11 CATHERINE ALDRIDGE: I'm not talking nearly fast
12 enough, sorry.

13 HEARING EXAMINER: Sorry.

14 CATHERINE ALDRIDGE: Okay. Then I will just go on
15 to the things, the errors that I caught, if I could.

16 There seems to be a contradiction in the DEIS. On
17 Page 225 to 226, it says: Stability analysis needed prior
18 to construction. However, on the introduction page it
19 says -- under Required Permits, it says: Clearing and
20 grading report is optional.

21 I mean, it can't be both ways, it has to be one or
22 the other. Right?

23 Also there were a couple of misprints. I'm almost
24 done. It says that the water drainage currently goes to the
25 east, and I think that was clearly supposed to be the west.

PT 2

PT 3

1 Also it says that the lowest point is in the
2 southwest corner, and I think that it meant the south -- the
3 northwest corner, because that's where the wetland is.

4 And that's it. Thank you.

5 HEARING EXAMINER: Thank you, Catherine. Terrence
6 Heil?

7

8 TERRY HEIL: Hi, I'm Terry Heil. 13748 16th Avenue
9 Southwest in Hurstwood.

10 I notice that my major concern is the trail, which
11 the Environmental Impact Statement, the EIS, only seems to
12 recognize part of it.

13 That trail actually is a full loop that goes from
14 one side, from Seahurst Park following the north side of
15 that valley, gully, whatever you call it, around past Sound
16 Vista, loops up into this Emerald Pointe, and then back down
17 to Seahurst Park.

18 The plans, as quick look here, indicate only one
19 connection, and that's to the south segment of the trail.
20 It appears as though there's plans to totally eliminate the
21 loop through Emerald Pointe without any form of replacement
22 and ignoring any connection to the north loop.

23 This trail has been there -- I've only used it for
24 twenty years, and it was there long before I arrived. It is
25 not a private use trail as indicated in the EIS. This is

1 used by a lot of people because I've observed them daily on
2 that trail.

3 I would urge both the developer and the City to
4 reconsider the routing of that and make as a permit
5 requirement the connection of the two segments of the trail.

6 It would not -- it would be probably quite
7 inconvenient to continue the present loop, which would run
8 right through a good chunk of the lower part of the proposed
9 site. However, I believe it would be possible to either run
10 one through the -- probably the edge of the site or through
11 some segment of it without much disruption to the present
12 project. And that's -- certainly, I'm urging that at this
13 time.

14 Thank you.

15 HEARING EXAMINER: Thank you, Terrence. Bea Gomez?
16 Bea, how are you tonight?

17 BEA GOMEZ: Hi, my name is Bea, Bea Gomez. And I
18 live at 1231 Southwest 132nd Lane, No. 1021, Burien 98146.
19 I'm good.

20 I wasn't planning on speaking, but one of my
21 neighbors said I brought up a really good point. And she
22 had a lot of things to say, and so she asked me to stand up
23 and speak, so this wasn't really planned.

24 So I live at the Sound Vista condos, and I live in
25 Building 10, which would be right next door to whatever is

1 being built here.

2 And, you know, it's very steep there. The forest
3 that's there now is really steep, and I have a concern that
4 my building -- there has been some settling in my building
5 already. And so if the integrity of the hillside is
6 jeopardized in any way by just taking down all this forest,
7 then it really concerns me what's going to happen to my
8 building.

9 And if it does, who's going to pay for it; you
10 know, my insurance or the City or the County or Westmark or
11 who? So that is one consideration.

12 But also I read in the Highline Times -- and I
13 don't have that much legal background or whatever, so maybe
14 my understanding is more limited -- but it looks like the
15 City of Burien may have to pay over \$10 million to Westmark
16 because of delays in whatever, in coming up with decisions
17 or building or whatever.

18 And I'm thinking, well, that's the people already:
19 Burien is me and everybody else who lives in Burien who is
20 going to have to pay this money already. And then maybe
21 roll over and let them build something there anyway that
22 nobody wants, which is maybe why it's been delayed anyway.
23 And it just seems like rubbing salt into the wound, that it
24 really doesn't sound fair at all.

25 And the only other thing I can say is that that

PT 6
(cont.)

1 forest is an extension of the park. Maybe it's not really
2 Seahurst Park, but people feel like it is. So we don't
3 usually -- you know, I've never heard of anybody tearing
4 down businesses and homes to build a park. But on the other
5 hand, why should we tear down part of the park? Because
6 there's only so much land and only so many forests, why
7 should we tear down part of this to have it be developed?

8 It's too much an extension of the park, and it's
9 too much of a beloved area for the whole city I think to
10 have that allowed.

11 So anyway, I'm done.

12 HEARING EXAMINER: Thank you, Bea.

13 (Applause.)

14 HEARING EXAMINER: I'm pretty sure I'm going to get
15 this last name wrong. Jim Anza --

16 JIM ANZALONE: I got it, Anzalone.

17 HEARING EXAMINER: Thank you. I wasn't sure
18 whether it was a D or not.

19 JIM ANZALONE: Thank you. My name is Jim Anzalone,
20 A-N-Z-A-L-O-N-E. I live at 13621 18th Avenue Southwest in
21 Burien, Washington.

22 I have three concerns. Primarily, the first one
23 is this, concerning the same as the earlier speaker about
24 the continuous loop in the park. There is a way to continue
25 that loop. A huge number of people use that park every day

PT 7

1 and use that loop for their enjoyment of the natural habitat
2 there.

3 So finding a way exists. I've already spoken with
4 the landscape architect, and at first blush 30-second analysis
5 looks like it would be easy to accommodate.

PT 7
(cont.)

6 Issue No. 2, along the idea of the Environmental
7 Impact Statement is over the fact that we're going to be
8 adding a huge number of people that will then have easier
9 access to the park. And I believe everybody ought to have
10 access to the park, but because it's close proximity, just
11 the number of people and extra feet on the ground is going
12 to have an impact on it that I'm not sure how landscape
13 architects or people that are involved can actually measure
14 that.

PT 8

15 And issue No. 3 is again related to the number of
16 people. We all drive cars, many of us drive multiple cars.
17 And as we all know, those cars tend to leak oil and
18 petroleum-based products. I'm concerned about the amount of
19 oil that's going to follow the natural course of the land,
20 which leads straight down toward the creeks that run in
21 there and then into the trout runs and into the Sound. And
22 I'm not sure how those are going to be mitigated.

PT 9

23 Those are my three comments. Thank you.

24 HEARING EXAMINER: Thank you, Jim. Next up, Sheryl
25 Knowles.

1 SHERYL KNOWLES: I'm Sheryl Knowles, and I live at
2 13621 18th Avenue Southwest in Hurstwood.

3 And my two biggest concerns also is the park and
4 the trail, and the wildlife that's going to be affected. We
5 do use that trail on a daily basis. And also the impact of
6 traffic and the noise level.

PT 10

7 And also the environmental concern of, as Jim
8 expressed, the oil that will -- and also the drainage. I
9 don't know on a rainy, rainy day if you've ever been there
10 and listening to the drainage in the pipes and how much
11 water is flowing through there already?

PT 11

12 If we eliminate all those trees and have more
13 concrete, we are going to have a lot of drainage problems
14 and water impact that I don't know, and I don't think
15 anybody has really, really taken that into consideration.

16 Thank you.

17 HEARING EXAMINER: Thank you, Sheryl. Cindy
18 Willis. Cindy, how are you?

19 CINDY WILLIS: Fine. How are you?

20 HEARING EXAMINER: I'm all right.

21 CINDY WILLIS: Hi. Cindy Willis, 13654 17th Avenue
22 Southwest, 98166. That's in the Hurstwood area as well,
23 right on the edge of the park.

24 And, first of all, one of my main concerns was in
25 the Hurstwood area there was a notice put up, and this was

PT 12

1 the document that was available to people there
2 (indicating).

3 And I went around last night showing people this
4 document, and a lot of my neighbors chose not to come
5 because, looking at these maps, they are extremely
6 misleading. It makes it appear that the entire development
7 falls within an already developed area. Right to the other
8 side here, this looks like streets that exist.

9 And they had no idea that this was actually all
10 forested area, the entire thing. I didn't know that myself
11 until I came tonight. So one concern about that is that
12 this appears to be almost purposefully misleading to me.

13 And if this is the only hearing, why? Because --
14 and this is the first I'd heard of this. And I will be
15 talking to my neighbors now, and then there will be no other
16 hearing? So anyway, first of all, I think these were
17 misleading materials.

18 And has the City of Burien looked into purchasing
19 this land? And if not, why, I would like to know. Coming
20 tonight and seeing the maps of what will actually be lost, I
21 think it's an absolutely shockingly egregious loss of
22 wildlife habitat.

23 This is a very critical environmental area, it is
24 the top of a watershed. And I am absolutely stunned that
25 this would even be considered in this day and age when we

PT 12

PT 13

1 are losing so much habitat.

2 If you look at a map of the area, this park is one
3 of the biggest contiguous wildlife and greenbelt areas that
4 reaches clear down to the seashore. This is extremely
5 critical habitat. All this wild area on the top of it. If
6 it is not part of the park right now, gosh, it certainly
7 should be.

8 And what do we need to do to make that happen? I
9 do think there's no doubt there will be lawsuits involved if
10 this does go forward. And I personally would be looking
11 into the -- what would have to happen to make that happen.

12 And I would like to know if there are
13 environmental groups present here tonight; anyone from
14 Sierra Club, the NRDC or any of these other groups. And if
15 not, why? And if there was another hearing, then we could
16 perhaps have a better representation.

17 So anyway, that's what I would like to say. I
18 personally think this should absolutely not happen under any
19 circumstances, and I'll do everything I can to see to that.

20 (Applause.)

21 HEARING EXAMINER: Thank you, Cindy. Next up,
22 Cindy Miller.

23 CINDY MILLER: Hello, I'm Cindy Miller. My address
24 is 1211 Southwest 132nd Lane, No. 433.

25 Okay. Well, I've been researching this a little

PT 13
(cont.)

PT 14

PT 15

1 bit, and I did talk to Seahurst Park and they said they
2 wouldn't be present tonight.

3 But I found out that they are already very
4 concerned about, mainly the salmon habitat there with the
5 creek and Marine Tech Center also partnered there with the
6 Highline School District to release salmon. And they are
7 trying to restore that whole stream there in that wetland
8 area.

9 So they've -- I found documentation that this is a
10 beach feeding source for salmon and just part of an
11 important stream where, like I said, the salmon were
12 released. So there's already documentation of causing --
13 the existing development there causing some water quality
14 problems. So the main concern is that another development
15 would increase that, you know, the water quality problems
16 that are already going on because of the current
17 development.

18 So I also went around to find out that I believe
19 that this development would go against the work of at least
20 20 different environmental organizations and citizen action
21 groups, and I have documentation that I'll mail in of all
22 those groups.

23 But in particular one started, the Washington
24 governor, Chris Gregoire, has got us a group called Puget
25 Sound Partnership, and their whole work began this

PT 16

PT 17

1 July 2007, and it's a shared strategy for Puget Sound. And
2 that is to restore salmon habitat across Puget Sound. So
3 this is, like, huge for what even our governor is doing now.

PT 17
(cont.)

4 I also contacted People for Puget Sound that
5 hadn't heard about this at all, and they are interested in
6 hearing all about it. And that's a real key citizen action
7 group in this area.

8 So I believe the proposed development goes against
9 the action of at least 15 different groups.

10 Okay. And my next point, getting off the
11 environment because I know a lot of us are kind of aware of
12 that. The second point is that our neighborhood adjoins a
13 huge Latino population there. They're in rental units but
14 there are many, many children. The size of the street, 12th
15 Avenue Southwest is very small. To have 1,178 truckloads of
16 dirt being hauled in and out to begin making this project, I
17 believe would put all those children in danger.

PT 18

18 Just this morning I counted at least 15 kids
19 waiting for the bus there, and those are school-age. I
20 always see toddlers and older students too, you know,
21 wandering around in that alley. So I really think it would
22 put their safety at risk. And I they've documented already
23 a pedestrian hit by a car and killed in that intersection of
24 134th and Ambaum.

25 And so we're talking about right around the corner

1 from that of those small street, and I think that that
2 community had never received any notification of things sent
3 out in Spanish. I didn't see anything, and I've kind of
4 checked in the neighborhood. And to this point nothing has
5 been sent to them that is in Spanish.

6 That's all.

7 (Applause.)

8 HEARING EXAMINER: I'm going to remind everyone
9 again that the comment period is open until October 5th. And
10 I will probably repeat this a couple of times tonight:
11 Please, please, submit your written comments.

12 PARTICIPANTS: Can't hear you.

13 HEARING EXAMINER: I'm sorry. I would like
14 everyone to submit their written comments.

15 And, particularly, if you have information that
16 you think is relevant -- like Cindy had some list of
17 organizations tonight -- that you believe is relevant to
18 this project and the outcome of this project, then the
19 applicant and the City needs to know that. So I would
20 encourage all of you to submit written comments so that
21 we're all on the same page with this.

22 I don't have any indication whether or not Linda
23 Vaughan would like to speak, but you are welcome to if you
24 would like. No? Okay.

25 Melessa Rogers?

1 MELESSA ROGERS: It's Me-lesa [phonetic].

2 HEARING EXAMINER: Melessa, thank you.

3 MELESSA ROGERS: Melessa, Rogers, 13229 12th Avenue
4 Southwest, Unit 212.

5 First of all, I have a couple of questions that I
6 need clarification. What exactly is the zoning of the land
7 in question? I haven't been able to figure that out. And
8 the other is --

9 AUDIENCE MEMBERS: Point of order, please. We
10 can't hear.

11 HEARING EXAMINER: Sorry.

12 MELESSA ROGERS: I'm sorry, can you hear? Okay.

13 Okay. I don't understand the actual zoning of the
14 land. I'd like some clarification of how that seven acres
15 is zoned.

16 The second is, it's been mentioned that the
17 building permit was filed in 1990 and ordinances in 1990 are
18 in effect. But I don't quite understand what that means as
19 far as what are the legal ramifications for this project,
20 whether it's going to move forward or not. So that I'm a
21 little confused about.

22 Am I the only one that's confused about those
23 things? I didn't think so. So if I could get some
24 clarification, that would be appreciated.

25 And I do have some prepared notes. First of all,

PT 20

PT 21

1 I really want to thank you for the opportunity as a member
2 of the Burien community to express my concerns regarding the
3 proposed Emerald Pointe development project.

PT 22

4 Now that I have the environmental protection
5 statement to review, I'll really look forward to looking
6 through it. I want to note that I did not get any mailing
7 about this hearing. My neighbor gave me this or I wouldn't
8 have known about it. And I want to know how many people in
9 Burien didn't get notified of this hearing. And if so,
10 there is not a full representation of the people that are
11 impacted by this project, and that is not okay with me.
12 So...

13 (Applause.)

14 MELESSA ROGERS: First, given the proposed 200
15 condominium units at this location, the negative impacts seem
16 obvious and extensive.

17 First, there would be greatly increased traffic
18 and noise. More than a thousand daily car trips from the
19 new development are predicted for the surrounding arterials.
20 We have many children at play in our neighborhood. Their
21 safety is at risk with this increase in traffic volume.

PT 23

22 Second, wildlife will be adversely affected by
23 this project. Many types of birds, including eagles,
24 falcons, owls, woodpeckers, dwell on this hillside. There
25 are squirrels, foxes, deer, raccoons, and other animals that

PT 24

1 would be needlessly and possibly permanently displaced by
2 the proposed development.

PT 24
(cont.)

3 And, finally, countless trees, many of which are
4 old-growth and irreplaceable, will be sacrificed and
5 vegetation destroyed if this development project is allowed
6 to move forward. This, in turn, could cause unforeseeable
7 problems with water runoff and landslides. This would be
8 disastrous for Seahurst Park and other lots at the bottom of
9 this very steep segment of land.

PT 25

10 I urge you to carefully consider these negative
11 impacts and the detrimental effect the end report
12 development project will have on our neighborhood. Please
13 don't let this nightmare become reality. Our neighborhood,
14 our children, and our environment deserve a better future.

PT 26

15 Thank you.

16 (Applause.)

17 HEARING EXAMINER: Melessa, thank you.

18 Maureen Ellis hasn't indicated whether you'd like
19 to speak or not. Would you like to speak tonight?

20 MAUREEN ELLIS: I sent a very detailed two-page,
21 single-spaced...

22 HEARING EXAMINER: Ten-point font?

23 MAUREEN ELLIS: But I'll ask questions.

24 HEARING EXAMINER: Well, thank you, Maureen, we
25 look forward to reading it.

1 MAUREEN ELLIS: Say again?

2 HEARING EXAMINER: I said thank you for submitting
3 the comments. I hope that everyone does that.

4 MAUREEN ELLIS: I do have a question, though.

5 HEARING EXAMINER: Then come on up and ask it.

6 MAUREEN ELLIS: Since I'm up here I will make a
7 small comment.

8 I'm Maureen Ellis, and I live in Sound Vista
9 Condominiums. And let me state --

PT 27

10 HEARING EXAMINER: Can everybody hear her?

11 MAUREEN ELLIS: At the outset --

12 HEARING EXAMINER: Very good.

13 MAUREEN ELLIS: -- if I were in one of the
14 single-family dwelling neighborhoods around there and Sound
15 Vista were not there; that is, that was all contiguous
16 forest, I would be equally opposed to Sound Vista going in.

17 The question that hasn't been addressed involves
18 sewer. This is a development that's going down a steep
19 slope.

PT 28

20 And at Sound Vista, we have a big sewer tank at
21 the bottom it. And when the power went out for 15 hours,
22 the sewer pumps went off. We had to have trucks go in there
23 and pump it out. On occasion, when I've hiked through there
24 I've smelled our sewer facility.

25 How is Emerald Pointe going to handle the sewage

28 **Public
Hearing
Transcript**

PT 28
(cont.)

1 for 178 to over 200 units? Does anybody know? The same as
2 us, okay.

3 Otherwise, I've got a two-page, single-spaced --
4 (Applause.)

5 HEARING EXAMINER: Thank you very much, Maureen.
6 Next up, I hope I don't get this wrong, James Freudenthal.

7 JANIS FREUDENTHAL: It's Janis.

8 HEARING EXAMINER: Janis? Oh, I'm sorry, my bad.
9 Janis.

10 JANIS FREUDENTHAL: My name is Janis Freudenthal --
11 can anybody hear me? -- and my address is 13229 12th Avenue
12 Southwest, No. 233.

13 And, oddly enough, my question has to deal with
14 exactly what Maureen Ellis just had mentioned, is sewer. If
15 you look at the DEIS, the proposed sewer line goes directly
16 across our property.

17 I went down to the Sewer District today. They
18 have no previous easement, anything like that. Not very
19 neighborly. I don't think that the people that live in that
20 building would appreciate it very much just having the sewer
21 line come through our property. So we have had no contact
22 from Westmark asking for an easement, so we'd like to know
23 where that's going through.

24 And Mr. Heil, Terrence Heil that spoke about the
25 loop on the trail? I'm an avid trail-user, and I've looked

PT 29

PT 30

1 for another route. I can't really find one that would be
2 safe for most people. So that's another consideration
3 there, for a loop on the trail.

4 Thank you so much.

5 HEARING EXAMINER: Thank you, Janis.

6 Well, I hope there's only one Lucretia here
7 because I'm going to butcher the last name. Postlewaite?

8 LUCRETIA POSTLEWAITE: No, I didn't sign up to
9 talk.

10 HEARING EXAMINER: Okay. It was blank, I just
11 wanted to check so you had an opportunity.

12 Karl Neal. Karl, how are you?

13 KARL NEAL: Good, thank you.

14 HEARING EXAMINER: Good.

15 KARL NEAL: My name is Karl Neal, and my address is
16 1245 Southwest 132nd Lane, No. 1111.

17 This is the second time I've had an opportunity to
18 speak on this project. I think it was a couple years ago
19 that we went through this before, and I'm glad to see that
20 there are probably ten times more people here than there was
21 last time. And thanks to the people from Hurstwood, thanks
22 for neighbors that we don't really think about and see too
23 often, glad to see you here.

24 Most of the points I wanted to make have already
25 been made, most of them water issues. That piece of land

PT 31
(cont.)

1 probably represents 15 to 20 percent of the watershed for
2 that entire stream, so it's a pretty substantial hunk of the
3 watershed. And, as it was mentioned before, local
4 municipalities are now forking out millions of dollars to
5 repair streams that have been previously damaged. So it
6 would be kind of ironic to go ahead and damage one, knowing
7 in advance what the problems could be.

PT 32

8 The other is subsidence. We all know that in the
9 Puget Sound area the soil around here is very prone to
10 liquefaction. And I've seen subsidence around our unit, and
11 the land there isn't nearly as steep as what some of the
12 hillsides on this piece of property.

PT 33

13 So the project as it's now proposed I think is far
14 too large to be supported by the geology and the geography
15 and whatnot of that steep ravine there. And the fact that
16 it is on top of the watershed, which is probably one of most
17 sensitive areas for the stream and the subsequent salmon and
18 trout at the bottom of the stream and our region's attempt
19 to bring those species back and bring back the urban
20 watersheds and the urban creeks and streams.

21 So that was basically what I wanted to say. Thank
22 you very much.

23 HEARING EXAMINER: Thank you, Karl.

24 (Applause.)

25 HEARING EXAMINER: Well, I have two names on this

1 line, and one of them is Toni Lysen, and I can't quite make
2 out the first one. King? Hi.

3

4 TONI LYSEN: Good evening. My name is Toni Lysen,
5 and I live at 12864 Shorecrest Drive Southwest in Burien.

6 I agree and support all of the comments that have
7 been made already this evening. But one of them I think is
8 highly significant that is mentioned in this document
9 (indicating) regarding public services is the impact or the
10 loss or the inadequacy of Fire District 2 to service that
11 area.

12 And notwithstanding the mentioning of the streets
13 are too small and there's not a turn-around for the fire
14 trucks, have -- I'm not sure when this is proposed to be
15 built, but should -- as we know, Fire District 2's fire
16 station is up on 14th Southwest. And if in the annexation
17 issues that are coming up, if that area is taken over by
18 Seattle, if any of you have followed the annexation issues,
19 that fire district would be lost to the City of Burien.

20 And we will have, any of us that are existing in
21 the -- you know, now as residents of that area will have to
22 float a bond, have an election, and have to team up with
23 other residents of Fire District 2, which are in the
24 Normandy Park area, to try and pass a new bond to build a
25 new fire station south of 128th.

PT 34

1 So I think this is a huge issue that hasn't been
2 recognized yet: the loss of fire protection should
3 annexation exist or happen that brings Seattle all the way
4 down to 128th.

5 And we don't know what's going to happen with
6 annexation. It could be another year or two away, possibly,
7 before that vote is taken. There's a lot of work to be done
8 there. And it will really severely impact all of the
9 residents of this area as well as if they do build this new
10 property and all the new residents as well.

11 Thank you very much.

12 HEARING EXAMINER: Thank you.

13 KING LYSEN: My name is King Lysen, 12864
14 Shorecrest Drive Southwest. I'd just like to put this in
15 context a little bit.

16 A number of years ago, maybe 15 or more years ago,
17 right behind us on the north side of Shorecrest where the
18 sewer plant is on Salmon Creek, that property was purchased
19 by a developer. And then he came in with his plan to divide
20 all up those hillsides in that ravine and build on it, and
21 there was quite an uproar about it.

22 And we -- finally the County and the Sewer
23 District came in and bought the developer out, and so we've
24 been able to keep that watershed on the Salmon Creek
25 watershed for the most part. So possibly you could look to

1 that, the history of that as an option here that could be
2 explored because I think the environmental impact here is
3 going to be horrendous.

4 But that's actually what happened. And then the
5 Salmon Creek has a salmon run in it, we planted salmon there
6 a number of times. And then also the marine biology lab
7 down below where the students come, and they have that one
8 salmon run in the creek of chum salmon, which is -- the
9 water flow from that comes from this whole area that they
10 are going to eliminate. So that's going to be an impact of
11 significant proportion in terms of those salmon protection
12 laws and issues.

13 And that marine biology lab has been there for
14 decades and decades and serves students at the Highline
15 Community College there and I think also at Highline High
16 School, Highline School District as well.

17 I just wanted to add that. Thank you.

18 HEARING EXAMINER: Thank you very much.

19 (Applause.)

20 HEARING EXAMINER: Rosemary Von Rueden, you haven't
21 indicated whether you would like to speak or not. No? Oh,
22 c'mon. Okay. Next on our list is Ashley Rowan.

23 ASHLEY ROWAN: Ashley Rowan, 1249 -- that's from
24 another person (indicating).

25 HEARING EXAMINER: Oh, that's from another person?

1 ASHLEY ROWAN: Yeah.

2 HEARING EXAMINER: Okay.

3 ASHLEY ROWAN: And -- Southwest 132nd Lane at Sound
4 Vista Condominiums. And since the junction of 12th and 134th
5 is so narrow and precarious as it is, I'm concerned about
6 what will happen to the slope beside it if it's denuded and
7 cut any further.

8 Sound Vista has already experienced erosion and
9 settling issues with buildings on its property, especially
10 Building 10. You can see it in the concrete, the settling.

11 The company, Emerald, has said that it would put
12 some kind of a cable system into the side of the hill. And
13 it doesn't sound like they have received any prior
14 permission to put a cable system and block system deep into
15 the hill of other properties that they don't own to kind of
16 anchor themselves.

17 That can't really be a very good way to go about a
18 building project or even propose it at all, to push
19 something forward that hasn't received prior permission from
20 owners of other parts of the hillside to anchor into. That
21 can't be.

22 Sound Vista has experienced erosion and settling
23 issues with many of the buildings, as I said, and drives
24 closest to the site and the northernmost buildings of
25 Vintage Park Apartments could incur damage due to shifting

PT 37

1 soils.

2 I'm very concerned about the additional effects
3 cutting and filling of Emerald Pointe will have on these
4 areas. On Pages 225 to 226 and two to twenty-seven the DEIS
5 states: Stability analysis needed prior to construction.

6 Why on Page 2 under required permits does it say:
7 Clearing and grading optional, end quote?

8 Since the slope stability analysis was done 17
9 years ago, perhaps it should be revisited. After they
10 revisit it, they will come to a conclusion not to do their
11 project because, as the most greatest part of the whole for
12 the community, they want to do the best thing, and they need
13 to back out. And there will be lots of testimony that
14 continues to back that up besides this hearing here.

15 But, remember, "clearing and grading optional."
16 Is it? It's a fundamental issue. And I defer my one minute
17 that I'm not going to use to Catherine Aldridge, should she
18 so choose.

19 (Applause.)

20 HEARING EXAMINER: Point of clarification, however.
21 I'm going to have to ask you to sit back down because your
22 minutes are not transferable to anyone.

23 AUDIENCE MEMBERS: Ohhhhhhhh. You didn't make that
24 point at first, just like they didn't make their point.

25 HEARING EXAMINER: And that was my fault, and I

1 take full responsibility for it.

2 AUDIENCE MEMBERS: I hope your wife hears about
3 this.

4 HEARING EXAMINER: Don't tell her, please.

5 Next on our list is -- and I can't tell, Mark
6 Pival, whether you wanted to speak or not.

7 MARK PIVAL: I thought I put a yes there.

8 HEARING EXAMINER: There appears to be a line
9 through it, so I was...

10 MARK PIVAL: Mark Pival. 1230 Southwest 130th
11 Lane. I'm a homeowner, that's real close to where we're
12 talking about. And I didn't want to give up my right to
13 speak in case I thought of something, so here I am.

14 First of all I want to thank whoever put this on
15 the windshield of my car. This is (indicating) the only
16 indication I had of anything going on.

17 MELESSA ROGERS: And on the back it's in Spanish.

18 MARK PIVAL: And it's in Spanish too. They gave me
19 a little test. If I ever get to go back to Mexico, I'll be
20 in good shape.

21 But I would love to -- and I'm confused as to why
22 this is the last and only hearing because I don't think
23 there's enough people here that really know what's going on.

24 And there should be -- I think it's Mr. Robinson
25 and the Highline paper should have a full page ad out in the

1 front page, inviting the community to hear what's going on
2 and what is being proposed.

3 When I moved here from the White Center area four
4 years ago and I found my house, I thought I had moved to a
5 piece of heaven. And I'm right at the edge of the top of
6 hill there. And I've got Mr. Coyote and Mr. Squirrel and
7 Mr. Sparrow and all of animals that chase the cats. And I
8 would have brought them all here tonight if I could have to
9 help with that testimony.

10 But that's what I enjoy about living in the area
11 and would love to see not any more development because that
12 Seahurst area is just really a piece of heaven for the
13 people to get out and enjoy it. And I hope that you all do.

14 And I hope this doesn't happen. But I'd like to
15 see us have more hearings about it if there's any way
16 possible. I'm politically ignorant about the protocol for
17 these meetings and stuff. And I do appreciate the chance to
18 say whatever I just did. Thanks.

19 (Applause.)

20 HEARING EXAMINER: Thank you, Mark. Robert Thorpe,
21 would you like to speak?

22 ROBERT THORPE: Good evening, Mr. Examiner,
23 citizens. I'm Robert Thorpe, our name is on the landscape
24 drawings outside. We are planners and environmental
25 consultants and landscape architects.

1 And our role is to take the information from the
2 technical consultants working for the applicant and bring
3 that together to give to Scott Greenberg and his staff,
4 their consultant, AHBL, and the environmental consultant,
5 EDAW. And we've endeavored to bring that.

6 The EIS, the purpose of it is a full disclosure
7 document. So we're here to listen. I have been a SEPA
8 official. Starting in 1971 I've worked on the SEPA
9 regulations and served as a SEPA official for communities
10 like Brier. So I do understand this process.

11 Our role here is to listen. And to that end, in
12 talking to the gentleman -- first name again?

13 JIM ANZALONE: Jim.

14 ROBERT THORPE: Jim. I -- we sketched this out.
15 And using the preferred alternative, I do not see a problem
16 of bringing the trail around the wetlands in this area here
17 with a gate connection to here (indicating). And there
18 was -- the idea we heard was to bring people down through
19 here and have the ability to connect.

20 But as I've drawn and you noted out there, I don't
21 see a problem with this circular connection here. So
22 hopefully that shows we're listening.

23 And if you think I just came here tonight, in 1966
24 when I moved here to work for Boeing, I lived at the first
25 apartment building for a year and a half in the Burien

PT 40

PT 41

PT 41
(cont.)

1 Gardens. I took my two-year-old and played on the
2 playground equipment at the elementary school and walked
3 these trails many times down to Salmon Creek and the other
4 creek. So I do think I have a historical view of this
5 property and have been involved in some of the analysis of
6 the extra land for the Burien Gardens that was part of this.

7 So my job is to bring as much information as I can
8 and respond.

9 There was one question I think fact would be
10 helpful to everyone that you asked is the historic zoning in
11 the county is the north part of the property is on 18 units
12 per acre, and -- or, I'm sorry, the south. And the north is
13 24 units per acre, there's division zoning. So that zoning
14 is vested with the application in 1991.

15 So that's why you have that zoning now. So that's
16 just a fact to help you. Thank you.

17 HEARING EXAMINER: Thank you, Robert.

18 Next on our list is, I believe it's Kathi Butler.

19 KATHI BUTLER: Hi. My name Kathi Butler. I live
20 at 13229 12th Avenue Southwest, Sound Vista Condominiums here
21 in Burien. And pretty much everything I really wanted to say
22 tonight has been said, so I'm going to just make a few brief
23 comments here.

24 I grew up in this area, I've been here 40 years, I
25 know those trails, I've walked them with my dog.

PT 42

PT 43

PT 43
(cont.)

1 And I've also been watching on the internet the
2 Burien Planning Commission, what they have been doing. And,
3 honestly, they have enough other projects going on, they
4 don't need this.

5 And through the years I have watched them -- not
6 necessarily Burien but developers -- slowly, slowly encroach
7 heavily on this area that we call the park. And it is
8 unfathomable to me, having read the Environmental Impact
9 Statement, that anyone could even entertain the notion of
10 letting this development proceed. Some of the long term
11 effects will just be astronomical. And I'm not going to go
12 into those because most of them have already been mentioned
13 here.

14 I do want to address the Burien Planning
15 Commission. Your own comprehensive plan states in 2.7,
16 parks and recreation, open space element, or PRO 1.2 as they
17 call it: The City shall maximize use of the existing park,
18 recreation and -- I stress -- open space resources within
19 the city by connecting them with a coordinated system of
20 trails and sidewalks.

21 This is exactly what is already there now, so I
22 think we should just leave that in place. Let it go.

23 Lastly, we have something down there that we
24 should be cherished, and we should leave it as it is. It's
25 been there for thousands of years. Once you destroy it,

PT 44

1 you're never going to get it back.

2 This whole area, I'm sure, if those trees, if they
3 could talk would tell you about the Indians who lived along
4 the shore and hunted the forests around in there. And then
5 that's how long that area has been like it is. It's a
6 pristine wilderness, and we are very lucky to have it in our
7 own backyard.

8 I encourage people to take a walk through it if
9 you haven't and discover the beauty and the awesomeness of
10 this old forest for yourself. As I've said, we are very
11 lucky to have this. Please don't destroy it, because we
12 can't replace it.

13 If you have to, arrange to do something like make
14 it become part of Burien parkland. I'm sure that the
15 residents of Burien would help support this.

16 That's all I have to say.

17 (Applause.)

18 HEARING EXAMINER: Thank you. Michael Willis. How
19 are you doing, Michael?

20 MICHAEL WILLIS: Hi. Michael Willis. I live at
21 13654 17th Avenue Southwest in Burien.

22 And if anybody has walked through the park, I
23 can't believe anybody would want to chop down all these
24 trees and just destroy this watershed. It's just amazing to
25 me that it even would enter anybody's mind.

1 Anyway, a lot of great comments. Thank you,
2 everybody.

3 I just wanted to go on record as saying that I
4 walk in the park almost every day, and I've seen on two
5 occasions in the last six years a pair of owls, a fox,
6 several raccoons, I've heard coyotes. Trillium and deer
7 fern grow all over the place in there.

8 So let's take care of it. Let's make it a park.
9 Thank you.

10 (Applause.)

11 HEARING EXAMINER: I have a question mark next to
12 Judy Healy's name. No? Are you sure? Okay.

13 It's 8:00. At this point I have gone through all
14 the people who signed up who said they actually wanted to
15 talk. Would you like to talk?

16 AUDIENCE MEMBERS: I would.

17 HEARING EXAMINER: You would? Come on up.

18 MR. GREENBERG: We have more.

19 HEARING EXAMINER: We have more sign-up sheets?
20 Perfect. Thank you.

21 LINDA HUDDLESTON: I'll make it as quick as I can.
22 My name is Linda Huddleston. I live at 14211 11th Avenue
23 Southwest, Burien.

24 I am with Mike. I see him all the time with his
25 dog, and many people here. I have watched -- I am concerned

1 about also the creek, the sewer runoff. I have watched them
2 go down there in the middle of the night, pumping sewer that
3 is running into the Sound. I mean the water -- it's just
4 unbelievable. They go down there in trucks, there's a
5 sewage overflow as it is.

6 I have pictures of the pileated woodpeckers, the
7 mating owls, all the birds that you could think of. The
8 trail. I walk there all the time. My daughter is here now
9 with my grandson, we do it every day after work.

10 The old-growth forest, what's going to happen with
11 that? I've watched the hillsides come down from what there
12 is there now at this park, just being washed away from the
13 rains. What are they going to do to sustain that to take
14 out the creek?

15 I've watched them daily and gone down and helped
16 plant trees. I have volunteered for everything I can. I
17 pick up the trash. You know, everything I can do to help
18 save and preserve this park that has been here.

19 And I have lived here all my life, my family has
20 lived here all my life. That park, my great nephew and
21 everybody else has been in that park.

22 There's no way to replace the old growth. I don't
23 know how they are going to sustain that hillside from the
24 water flows. When you do the trails now, the runoff in the
25 winter -- because I do it every day no matter what, 365 days

1 a year I am on that trail and walking that park. And I've
2 seen the impact that has happened already with the people
3 that have moved in the area as it is with what Burien's
4 doing now.

PT 49

5 I mean, I think we're building enough. I think
6 there are some things that we need to preserve and keep part
7 of the history that is Seahurst and Burien, Washington. I
8 mean, it's a beautiful place.

9 And I don't understand how they are going to --
10 like I said, my main concern is I've seen them come in, have
11 to pump out that sewer down there at the park right by the
12 playgrounds. I've seen it run into the Sound. It's
13 devastating. I mean, I even talked to the guys, you know,
14 what's going on? They just fence it off and say, poison,
15 you know, sewage is flowing. I mean, they can't keep it
16 contained as it is. What's going to happen with all this?

PT 50

17 I just don't -- there has to be better issues than
18 what I'm seeing on the plans that I am seeing to resolve
19 what is -- they are planning to do with the building.

20 And I don't have much else to say except for the
21 environment, the wildlife -- everything is going to be
22 impacted greatly by the influx of this many people coming
23 through and the construction and what it's going to take to
24 do it.

PT 51

25 Thank you.

1 (Applause.)

2 HEARING EXAMINER: Thank you. I'm going to get
3 this last name wrong, Nicky Hays Amodeo.

4 NICKY HAYS AMODEO: Yes.

5 HEARING EXAMINER: Did I get that right?

6 NICKY HAYS AMODEO: You did. Well done.

7 I'm Nicky Hays Amodeo, 1220 Southwest 132nd Lane,
8 No. 523.

9 And I guess my feeling is that I hear a lot of
10 stewards for our earth, and I hear people passionate about
11 the environment and the habitat. And I think we charge our
12 leaders, we charge people who represent us, with the same
13 passion.

PT 52

14 And that would be my testimony. Thank you.

15 HEARING EXAMINER: Thank you.

16 I imagine this next name has been pronounced
17 several different ways, and I may come up with yet another
18 one. Tesfaye? Am I getting even close? Would you like to
19 speak? You don't have to.

20 Well, this may be coaching, but I'm going to allow
21 this one. And if you could state your name and address for
22 the record, please.

23 TESFAYE BELIHU: My name is Tesfaye Belihu. I live
24 in 1215 Southwest 132nd Lane, Apartment 313, Sound Vista
25 Condominium.

PT 53

1 Okay. I'll just read this. The parks and
2 recreation issue will be impacted because the pool would
3 most likely only be open for a few months in the summer so
4 they -- the residents will have to use a public pool. In
5 addition, people may want to play ball, roller-blade
6 skateboard, use playgrounds, and attend events in public
7 places.

PT 54

8 It appears that many of the reports used in the
9 DEIS are as much as 17 years old. Conditions may have not
10 changed, but technology in the field probably has.

11 If I may, I would like to just say this. You
12 know, I am a draftsman, so right now actually I'm working on
13 a development for SeaTac, City of SeaTac. So this kind of
14 thing interests me very much. I am learning quite a bit
15 from all of you. I believe the authorities in charge of
16 this are -- know their responsibilities.

PT 55

17 True to my conscience, the question that comes to
18 me is, what would it be like if I was the one who was
19 building those buildings, who was trying to get that
20 building permit there? Do you understand?

21 PARTICIPANTS: Mm-hmm.

22 TESFAYE BELIHU: Okay. What would we allow to be
23 built there? Disneyland? Columbia Tower? What?

24 If anybody comes and builds there, there is this
25 thing: They may build such that the land price gets so high

1 they can remove us immediately. These people are our peers,
2 they are building a condominium. If we allow them, the land
3 price remains the same, we remain there. Do you understand?

4 So we better choose your opponents very well
5 because if you don't allow these people to build, maybe
6 someone stronger will come and build something we cannot
7 remove, and they will push us away.

8 Thank you very much.

9 (Applause.)

10 HEARING EXAMINER: Thank you. David Rosser? How
11 are you doing, David?

12 DAVID ROSSER: Good.

13 HEARING EXAMINER: Good.

14 DAVID ROSSER: Hello. My name is David Rosser, and
15 I live at 1211 Southwest 132nd Lane, No. 432.

16 And I agree with everything that was -- well, most
17 of what was said tonight about the impact and the
18 environmental impact and the safety issues.

19 And I guess I would just like to speak especially
20 to the impact on children. I teach special ed at Highline
21 High School, and we have classes with kids who are in high
22 school and they have -- for whatever reason, they have
23 reading levels below fifth grade.

24 The biggest tragedy that I see in my classrooms is
25 a loss of something that I grew up with, which I guess to

PT 55
(cont.)

PT 56

1 name it was ability to just wander and explore. I was
2 blessed with lots of opportunities to roam in wild, open
3 spaces and receive education there.

4 And, sadly, in the high school kids that I see
5 today there isn't that sense of awe and wonder. And I think
6 that only comes through a young child's ability to explore a
7 wild, open place and just to discover different creations
8 and just look up at the awesomeness of trees and find little
9 tiny bugs and explore them and play with them.

10 So I think that building a dense condominium unit
11 would be detrimental towards the educational impact on
12 children.

13 There's many children who live in the neighborhood
14 adjacent who aren't blessed with a lot of great
15 opportunities, and doing this building would only do them a
16 disservice, I believe.

17 I know it would be a huge expense, but I'm in
18 favor of buying the land for a park at the most, and at
19 least not building high density condominium units on that
20 property.

21 Thank you.

22 (Applause.)

23 HEARING EXAMINER: Thank you, David. We're going
24 to take a ten-minute break and then we will reconvene.

25 (Break was taken.)

1 HEARING EXAMINER: We are going to sit ourselves
2 down and reconvene. If we could have everyone sit down,
3 please -- going once, going twice.

4 I'm going to start by doing exactly what I said I
5 was going to do earlier and remind everyone that written
6 comments on the draft EIS are accepted through the end of
7 business day on October 5th.

8 I strongly encourage you to submit your comments
9 in writing so that they do definitely make it in the record.
10 Not that tonight's won't, but I know many of you would like
11 to expand on some of your thoughts, and that would be an
12 excellent way to do it.

13 I have heard at least a half a dozen of you offer
14 some information, talk about some organizations that may be
15 interested in this process, and I encourage you to put all
16 of that in writing so that the City and the applicant -- all
17 of us -- have the benefit of some things that you might know
18 that we don't.

19 At this point, I have gone through the list where
20 everyone said yes, I would like to speak. And so what I'm
21 going to do now is open this up to, first, all those people
22 who first said no who might now like to speak. And so raise
23 your hand.

24 Gentleman, you came up to me early on to me, why
25 don't you come up to the podium. And if you could state

1 your name and address for the record.

2 GLENN KRANTZ: My name is Glenn Krantz. I live at
3 13028 16th Avenue Southwest. Lived here for 50 years and I
4 just love this place.

5 And something came to mind when you mentioned
6 water runoff, and there is something known as global warming
7 coming up. Seattle has been extremely lucky, but what if we
8 get 12 inches of rain some night?

9 (Applause.)

10 HEARING EXAMINER: The lady way in the back.
11 Sorry, ladies first.

12 LISA OLSON: My name is Lisa Olson. I live at
13 13225 12th Avenue Southwest, and I just felt like I had to
14 say something.

15 I really appreciate everything everyone -- almost
16 everyone -- has said. It was very enlightening to me. I
17 didn't have any idea of the impact we were talking about
18 when I first read about this.

19 I agree with, like I say, just about everything
20 everyone has said.

21 One thing I just wanted to mention, and this is on
22 a more personal note, and it's about the Marine Tech
23 building that's down at the park. That is actually operated
24 by Puget Sound Skill Center, which used to be called
25 Occupational Skill Center, out there on 188th. It's

PT 57

PT 58

1 operated by the Highline School District. And they offer
2 really awesome programs to kids, starting as young as
3 freshmen to go part of the year, and they learn about marine
4 biology.

5 And I have a 12-year-old daughter back here who
6 has been talking about being a marine biologist since she
7 was about six years old. She didn't even know what the term
8 was, she just knew she needed to do it. She has been
9 counting the years down till she can finally get to go to
10 Marine Tech. She's got two more years to go. And if the
11 building is still there but none of the animals are, what is
12 she going to be learning about?

13 So I would be behind anyone and encourage anyone
14 else to do whatever we can to block this project so that
15 that school can continue to teach our kids. We're so lucky
16 in the Highline School District. Not many districts have
17 that incredible opportunity that these kids have. And I
18 want it there for my daughter, and I want it there for my
19 grandkids -- but not too soon.

20 Thanks very much.

21 (Applause.)

22 HEARING EXAMINER: Thank you. The gentleman in the
23 back?

24 TERRY WESTMORELAND: My name is Terry Westmoreland.
25 I live at 16560 9th Avenue Southwest.

1 I've been walking the park since the mid '60s,
2 which means I was a Cub Scout when I started.

3 When we were down there as kids, we were told by
4 the people that ran the buildings down there, which were
5 from the Fox Carnival that used to be down there back in the
6 '20s. And we asked about the trails that were up there, and
7 they were -- we were protecting, we were taking down trees
8 and doing this and that.

9 And we asked about, well, where do they come from?
10 And they go, Well, it's been here forever. The Indians put
11 these in here, and they have always been here.

12 So if we take out a trail, we don't take out a
13 cycle that's been there for 40 years but 200 years.

14 Now, Burien has Indian trails, but they have laws
15 that protect them. How come these aren't on them?

16 Also, putting an environmental impact on the
17 ground is one thing. But when you put it on a huge area
18 like that, you're going to open up something special about
19 that park, which is its canopy.

20 Most of what's in there is berries, wetlands, but
21 when you open up that air quality and change it, that's
22 going to go away. Most of the berries that are in there are
23 huckleberries and salmonberries, and those are based upon
24 the moisture that comes from the canopy.

25 You can't replace that, that is too big of a hole.

PT 59

PT 60

1 That's too much of an impact.

2 Thank you.

3 (Applause.)

4 HEARING EXAMINER: Thank you, Terry. The other
5 side of the room, the gentleman right here.

6 BRIAN STAPLETON: I'm Brian Stapleton from 13114
7 16th Avenue Southwest.

8 And I have just a very, very short message in two
9 words: Some of it is from history, but it's fragile and
10 irreversible.

11 (Applause.)

12 HEARING EXAMINER: Thank you. This side of the
13 room? Anyone? Jump to this side -- well, you've spoken
14 already. I'm trying to get some folks up here who haven't
15 spoken yet.

16 CATHERINE ALDRIDGE: Good try, Ashley.

17 JOHN DELVENTO: I'm John Del Vento. I live at
18 11937 Marine View Drive Southwest.

19 Didn't Burien sponsor this meeting? Scott?

20 MR. GREENBERG: Yes.

21 JOHN DELVENTO: Okay. Well, why isn't it being
22 telecast? Anyone can explain that? It should be, it's a
23 Burien meeting. I asked some people to watch Channel 21.
24 They're going to draw a blank.

25 The other question I have is, I don't know of

PT 61

PT 62

PT 63

PT 63
(cont.)

PT 64

1 anybody with private property or otherwise that has a path
2 to the park. Why is this schematic show a path to the park?

3 Also, there's an easement that allows people to
4 access this development from the main street. Which
5 property was placed in that condition to be allowed to place
6 an easement into that development? Who owned that? Was it
7 the Highline School District? Anybody know that?

8 Questions. Answer them.

9 (Applause.)

10 HEARING EXAMINER: Anyone else who has not spoken
11 tonight who would like to speak?

12 MELISSA THOMAS: My name is Melissa Thomas, and I
13 live at 1224 Southwest 132nd Lane, No. 623, 98146.

14 I don't like speaking in front of people, but I
15 felt tonight this extreme urge to.

16 My family has a lot of experience on these trails.
17 I've walked on all these trails myself, and I'm just
18 appalled that my family members, who live in the Seahurst
19 community right next to Seahurst Elementary, have not been
20 informed of this other than through me.

21 I talked to a friend who lives east of where I
22 live -- I live in Sound Vista -- in that Cedarhurst
23 neighborhood, he was unaware.

24 So how many people are unaware of this? And I'm
25 just appalled that this is the one hearing, public hearing,

PT 65

1 that we're having when most of the community doesn't even
2 know about this.

3 And why? Why has this just only a small portion
4 of people in the community been informed?

5 Thanks.

6 (Applause.)

7 HEARING EXAMINER: Anyone else who has not spoken
8 tonight who wishes to? Anybody?

9 There's been a couple folks who have provided
10 comment who would like to provide a little bit more, and I'm
11 going to start in the back with Mr. Lysen.

12 KING LYSEN: I just thought of one other example.

13 HEARING EXAMINER: You need to state your name for
14 the record.

15 KING LYSEN: King Lysen again. I just thought of
16 one other example about this. The County and the Sewer
17 District bought the property drainage for Salmon Creek
18 20-plus years ago from the developer who had proposed this
19 big development. So we preserved the watershed there.

20 And they also, I remember when Burien school was
21 sold to the Baptist church for \$160,000, you know, 20, maybe
22 30 years ago, and it operated. And then a developer got
23 ahold of it, and he had this big apartment/condo, big
24 development all planned for it. And the County Council got
25 involved, and they bought it from him.

1 So that's another example of when the public, the
2 County or the City and the Sewer District got involved when
3 a big developer came in and bought the property from them at
4 a negotiated price. And everybody was pretty happy about
5 it.

6 So maybe that -- and I guess the news came out
7 just in the last week or two that this Westmark, what's the
8 name of the company, they just won a ten-million-dollar
9 judgment against the City of Burien, which everybody should
10 be aware of. That complicates things quite a bit.

11 But, anyway, there are possibly, if we could get a
12 mitigation and negotiators involved and see if those areas
13 could be explored. Because that solution has worked in the
14 past, even though it's been several decades ago.

15 Thank you.

16 HEARING EXAMINER: Thank you. Apparently my
17 microphone lost its voice. Can everybody hear me?

18 PARTICIPANTS: Yes.

19 HEARING EXAMINER: This side of the room again.
20 I'm going to ask one more time, anyone else who hasn't talked
21 would like to speak? Going once, going twice.

22 The gentleman in the second row here, you
23 mentioned you would like to say something else. Why don't
24 you come on up?

25 ASHLEY ROWAN: I enjoyed it earlier when somebody

1 spoke --

2 HEARING EXAMINER: Pardon me, could you just state
3 your name for the record.

4 ASHLEY ROWAN: Ashley Rowan, Sound Vista.

5 When somebody stated Mr. Fox and Mr. Owl and
6 Mr. Mister, it was well put.

7 And I'm on the board for Sound Vista, and we're
8 considering the issue very carefully. And I'd like to say
9 Mr. Fox and Mr. Eagle and all have advised us to go the full
10 route with a lawyer.

11 We found someone who's done it with Microsoft,
12 he's done work for SeaTac and very extensive work through
13 some very big corporations. And I see a moment here where
14 the City of Burien can make ten million dollars. We'll make
15 a united front and take the past and step forward into the
16 future, and put the two together and cancel them out.

17 And that's Mr. Fox and Mr. Owl speaks very simply,
18 and that's what they like to hear, is very simple and direct
19 action. We're here to meet you, and we're going to drive it
20 home.

21 (Applause.)

22 HEARING EXAMINER: Anyone else?

23 MELESSA ROGERS: My name is Melessa Rogers. As I
24 mentioned when I started my talk a while ago, the fact that
25 the word did not get out, I need to know what the City of

PT 67
(cont.)

PT 68

1 Burien is going to do to rectify the issue.

2 Just two weeks ago I got my newsletter from the
3 City of Burien, and it was in English and Spanish, very
4 nice. I read through it. There was no mention at all of
5 this meeting. How -- and I live at the Sound Vista
6 Condominium. I got no mailing from the City.

7 So I have no faith at this point that the City has
8 done its due diligence regarding involving its citizens,
9 citizens of this community, about this issue.

10 And I want to know, what is the City of Burien
11 going to do to ease my conscience that they have actually
12 done what they needed to do to let people about this. And
13 that they only have till October 5th because there's not
14 going to be any more public hearings.

15 That to me is a huge question that needs to be
16 answered, and I know I'm not the only one in the room that
17 feels that way.

18 (Applause.)

19 HEARING EXAMINER: Anybody else? You're sure?

20 CATHERINE ALDRIDGE: I'll put it in my letter.

21 Mine's going to be three pages.

22 HEARING EXAMINER: Single-spaced, ten-point? Okay.
23 If no one else wants to speak this evening then I am going to
24 close tonight's hearing. So going once, going twice.

25 And let me say yet again, please submit your

1 comments. We need to hear from you. Have a pleasant
2 evening -- I'm sorry?

3 PARTICIPANTS: Is there a limit on how much we can
4 put in the comments?

5 HEARING EXAMINER: You can put as much as you like.

6 Thank you all very, very much for coming tonight.

7 Appreciate your input, we require your input. Have a good
8 evening.

9

10 (Hearing concluded at 8:50 p.m.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

REPORTER'S CERTIFICATE

I, JUDITH CEDERBLOM, Washington CCR No. 2388, Certified
Court Reporter, certify;

That the foregoing proceedings were taken before me at
the time and place herein set forth;

That the foregoing is to the best of my ability a true
and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee
of any of the parties, nor financially interested
in the action.

I declare under penalty of perjury under the laws of
Washington that the foregoing is true and correct.

Dated this 23rd day of September, 2007.

JUDITH CEDERBLOM, MA, CCR
Washington CCR #2388, Expires 04-16-08
Notary expires 10-09-08